

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Confirmation No. 8450

Inventors: Evers et al

International Appl No. PCT/EP04/03739, filed April 7, 2004

Application No. 10/552,181, filed October 5, 2005

For: **THE USE OF PDE4D IN THE SCREENING FOR MEDICAMENTS AGAINST
ATHEROSCLEROSIS**

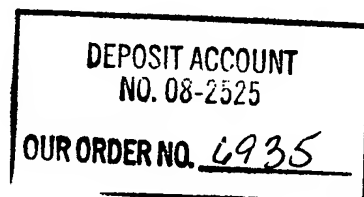
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Nutley, New Jersey 07110
July 31, 2006

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), applicants enclose an original Declaration executed by Stefan Evers, Juergen Fingerle, Jeffrey Gulcher, Jacques Himber and Solveig Gretarsdottir, co-inventors of the captioned application. The submission of the executed Declaration completes the formal requirements for filing the captioned application. Please make the foregoing of record.



Appl. No. 10/552,181 (International Appl. No. PCT/EP04/03739)
Filed: October 5, 2005 (Filed: April 7, 2004)

The payment of a surcharge of \$330.00 is to be charged to Deposit Account No. 08-2525 to cover the late filing fee (\$130) and the examination fee (\$200) as noted in the attached Notification. Any underpayment or overpayment should be charged or credited to Deposit Account No. 08-2525.

Respectfully submitted,



Attorney for Applicant(s)
Patricia S. Rocha-Tramaloni
(Reg. No. 31054)
340 Kingsland Street
Nutley, New Jersey 07110
Telephone: (973) 235-2441
Telefax: (973) 235-2363

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01 FC:1633 200.00 DA
02 FC:1617 130.00 DA

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| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/552,181 | Stefan EVERS | 21729 |

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| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/EP04/03739

George W. Johnston, Esq.
Hoffman-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110

| | |
|-----------------|---------------|
| LA. FILING DATE | PRIORITY DATE |
| 04/07/2004 | 04/10/2003 |

Declaration & Fees
RESPONSE DUE: *August 21, 2006*

(3 months)
STATUTORY
PERIOD EXPIRES: *Nov. 21, 2006*

CONFIRMATION NO. 8450

371 FORMALITIES LETTER



OC000000019352171

Date Mailed: 06/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/05/2005
- Copy of the International Search Report filed on 10/05/2005
- Copy of IPE Report filed on 10/05/2005
- Preliminary Amendments filed on 10/05/2005
- Information Disclosure Statements filed on 10/05/2005
- Oath or Declaration filed on 10/05/2005
- U.S. Basic National Fees filed on 10/05/2005
- Priority Documents filed on 10/05/2005

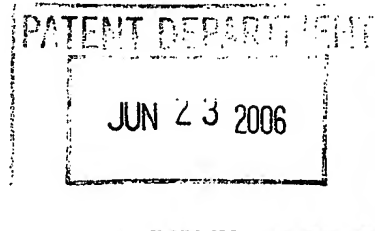
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$330 for a Large Entity:



- **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

(A previous payment of **\$400** will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

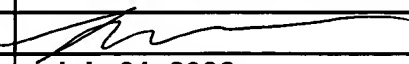
Telephone: (703) 308-9140 EXT 215


PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/552,181 | PCT/EP04/03739 | 21729 |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/552,181 |
| | Filing Date | October 5, 2005 |
| | First Named Inventor | Stefan Evers |
| | Art Unit | |
| | Examiner Name | |
| Total Number of Pages in This Submission | Attorney Docket Number | 21729 |

| ENCLOSURES (Check all that apply) | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Response to Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Patricia S. Rocha-Tramaloni | |
| Signature |  | |
| Date | July 31, 2006 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|----------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Patricia S. Rocha-Tramaloni | | |
| Signature |  | Date | July 31, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.